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making his third general class swallow the first and second classes, and leaving the reader in as great perplexity as that which disturbed Pharaoh before Joseph interpreted to him the dream about the swallowing of the fat cattle by the lean kine.

The text displays a carelessness, either in proof-reading or in the author's manuscript, which shakes one's confidence in its accuracy. "In the time of Lord Lamden", (p. 13, n. 1) should be, we surmise, "In the time of Lord Camden." "Personalty" is employed in § 6 for "personality." On page 370 appears this statement: "The locus or law of place determines the kind and right of action." Locus is a new synonym for "law of place." In § 221, the author professes to give the present statutory limitations of amount recoverable for death by wrongful act. The New York limit is asserted to be \$5,000, and an edition of the Code of Civil Procedure for 1888 is cited for the statement. Had the author consulted a modern edition, he would have learned that this limitation was stricken from § 1904 in the year 1895.

A TREATISE ON THE LAW OF NEGOTIABLE INSTRUMENTS. By John W. Daniel. Fifth Edition. Two vols. New York: Baker, Voorhis & Company. 1903. pp. cliv, 935; x, 1004.

In his preface to this edition, the distinguished author calls attention to the fact that "more than a quarter of a century has elapsed since this work was originally published in 1876," and modestly rejoices in the knowledge that "it has upheld itself in the good opinion of the legal profession and of enlightened laymen." Certainly no book has supplanted it, either in popular favor or in merit. Its high rank has been due not so much to its recognized accuracy of statement and wealth of information, as to the intelligence and spirit of its author. Following Mansfield and Story, he looked upon the Law Merchant as a true body of legal principles, capable of embracing every form of negotiable instrument, and destined to become, as a branch of English Common Law, what it had been in its original state when administered by the Courts of Merchants, "one and the same among all nations."

To this conception, he assures us in the present edition, he still adheres. In the preface, and again in the closing paragraph of the text, he reiterates his declaration of faith, that the negotiable instrument is the harbinger of uniform law. "In no other branch of jurisprudence," is his final word, "have the laws of different nations and different States so closely assimilated to each other. It is the pioneer in producing a homogeneous code, which shall prevail throughout the realm of commerce, without regard to the limits of country, race or language."

Every form of negotiable instrument, known to the modern commercial world, receives attention in this work, and quasi-negotiable documents, such as certificates of stock, bills of lading, and warehouse receipts are treated with adequate care and fulness. It is not a little surprising, that the author should not have discovered and corrected the mistake, several times repeated, of ascribing to Lord Mansfield certain questionable decisions of Sir James Mansfield. In § 1333, the decision in *Fentum v. Pocock*¹ is spoken of as Lord Mansfield's—

¹(1813) 5 Taunt. 192; 1 Marsh, 14.

a decision rendered a quarter of a century after the great Chief Justice had retired from judicial duties, and twenty years after he had gone to his last rest in Westminster Abbey. A number of errors in proof reading, also, should be corrected. For example, *Edwin v. Lancaster* in note 40 § 1334, should be *Ewin v. Lancaster*. Barring this and a few other mistakes, which are not serious, the present edition is an admirable piece of work.

REVIEWS TO FOLLOW:

A BRIEF FOR THE TRIAL OF CRIMINAL CASES. Austin Abbott. Rochester: Co-operative Publishing Co. 1902. pp. xx, 814.

CASES ON INTERNATIONAL LAW. James Brown Scott. Boston: The Boston Book Co. 1902. pp. lxvii, 959.

A TREATISE ON THE POWER OF TAXATION. Frederick N. Judson. St. Louis: The F. H. Thomas Book Co. 1902. pp. xxiii, 908.

A COMMENTARY ON THE LAW OF MINES AND MINING RIGHTS. Two volumes. Wilson J. Snyder. Chicago: T. H. Flood & Co. 1902. pp. ci, 1464.

A TREATISE ON COMMERCIAL PAPER. James W. Eaton and Frank B. Gilbert. Albany: Matthew Bender. 1903. pp. xciii, 767.

THE LAW OF REAL PROPERTY AND OTHER INTERESTS IN LAND. Two vols. Herbert Thorndyke Tiffany. St. Paul: Keefe-Davidson Co. 1903. pp. xxxiii, 1589.

THE LAW AND PRACTICE IN BANKRUPTCY. W. M. COLLIER. Fourth Ed. by Wm. H. Hotchkiss. Albany: Matthew Bender. 1903. pp. xlii, 984.